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PATENT  
Customer No. 22,852  
Attorney Docket No. 04012.0385

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: )  
)  
Lukas-Laskey et al. ) Group Art Unit: 1614  
)  
Application No. 10/721,020 ) Examiner: K. Weddington  
)  
Original Patent No. 5,760,069 ) Allowed: January 8, 2007  
)  
Original Issue Date: June 2, 1998 ) Confirmation No.: 3994  
)  
Reissue Filed: November 25, 2003 )  
)  
For: METHOD OF TREATMENT FOR )  
DECREASING MORTALITY )  
RESULTING FROM )  
CONGESTIVE HEART FAILURE )

**Mail Stop 313(c)**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

07/03/2007 MBELETE1 00000074 10721020  
02 FC:1464 130.00 0P

Sir:

**PETITION FOR WITHDRAWAL OF PATENT FROM ISSUE**

Pursuant to 37 C.F.R. § 1.313, Applicant hereby respectfully petitions for withdrawal of the above-identified application from issue. According to the fee schedule set forth in 37 C.F.R. § 1.17(h), the required fee of \$130.00 for consideration of this Petition is enclosed.

This request for a withdrawal from issue of a prospective United States patent is made for the consideration of a Request for Continued Examination and Information Disclosure Statement, which it is respectfully submitted constitute good and sufficient reasons for the action sought.


In view of the foregoing, Applicant respectfully requests that this application be withdrawn from issue.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 2, 2007

By:   
Mark J. Feldstein  
Reg. No. 46,693

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Application Number: 10/721,020

3994

Filing Date: November 25, 2003

First Named Inventor: Lukas-Laskey et al.

Group Art Unit: 1614

Examiner: K. Weddington

Attorney Docket Number: 04012.0385-00000

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment.**

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [Date] \_\_\_\_\_.
- ii. ☐ Other \_\_\_\_\_
- b. ☐ **DO NOT ENTER** the amendment(s) previously filed on [Date(s)] \_\_\_\_\_. An alternate submission is attached.
- c. ☒ Enclosed submission:
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement
- iv. ☒ Other: Petition for Withdrawal of Patent from Issue

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$790.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Petition for extension of time for ([number] Months) \$[Fee]
- iii. ☒ Other Petition fee for Withdrawal of Patent from Issue
- b. ☒ Check in the amount of \$920.00 is enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

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790.00 00

**Signature of Applicant, Attorney, or Agent Required**

Name: Mark J. Feldstein

Reg. No.: 46,693

Signature: 

Date: July 2, 2007

**Certificate of Mailing or Transmission**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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